

Entered - 12/01/00 - sb
CL00L0720 - DIANNE C. MITCHELL

01-R-0020

CLAIM OF: **JACKIE HUMPHRIES,**
through her attorney,
Michael Moran
852 Ralph David Abernathy Boulevard, SW
Atlanta, Georgia 30310

For damages alleged to have been sustained as a result of a slip and
fall on June 1, 2000 at Lenora P. Miles Elementary School.

THIS ADVERSE REPORT IS APPROVED

BY:

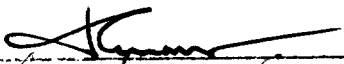

ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

ADVERSE REPORT

COM. P.S. & L.A.

DATE 1/16/01

CHM. C. T. Mark


Clerk

Allyson

ADVERSED BY
CITY COUNCIL JAN 16 2001



**CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK**

**55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103**

January 26, 2001

Michael Moran
Attorney at Law
852 Ralph David Abernathy Blvd., SW
Atlanta, GA 30310

01-R-0020

RE: Jackie Humphries

Dear Attorney Moran:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on January 16, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at **(404) 330-6400**.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0720

Date: December 27, 2000

Claimant /Victim JACKIE HUMPHRIES
BY: (Atty) Michael Moran
Address: 852 Ralph David Abernathy Boulevard, SW, Atlanta, Georgia 30310
Subrogation: Claim for Property damage \$ Bodily Injury \$ not stated
Date of Notice: 11/27/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 06/01/00 Place: 4215 Bakers Ferry Road, SW
Department Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges she was injured when she slipped and fell while in the Lenora P. Miles Elementary School. The Atlanta Board of Education is a separate legal entity from the City of Atlanta. The claimant's attorney has been advised to pursue this claim directly with the Atlanta Board of Education.

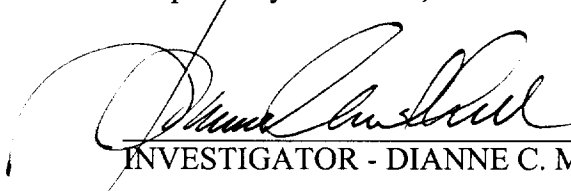
INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved X Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager:  Concur/date 12-28-00
Committee Action: Council Action

RCS# 2563
1/16/01
4:18 PM

Atlanta City Council

Regular Session

Claims

MULTIPLE

Unfavorable Items 9-33

01-R-0012	01-R-0023	ADOPT
01-R-0013	01-R-0024	
01-R-0014	01-R-0025	YEAS: 13
01-R-0015	01-R-0026	NAYS: 0
01-R-0016	01-R-0027	ABSTENTIONS: 0
01-R-0017	01-R-0044	NOT VOTING: 3
01-R-0018	01-R-0045	EXCUSED: 0
01-R-0019	01-R-0047	ABSENT 0
01-R-0020	01-R-0048	
01-R-0021	01-R-0049	
01-R-0022	01-R-0050	
	01-R-0051	01-R-0052

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	NV Boazman	NV Pitts

MULTIPLE